

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

BARBARA KALANIKIEKIE KAAPUNI,	)	CIVIL NO. CV 04-00449 SOM
et. al.,	)	LEK
	)	
Plaintiffs,	)	
	)	AFFIDAVIT OF MOANA M. LUTEY
vs.	)	
	)	
CARLTON HELM, et. al.,	)	
	)	
Defendants.	)	
	)	

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AFFIDAVIT OF MOANA M. LUTEY

STATE OF HAWAII        )  
                              ) SS.  
COUNTY OF MAUI        )

MOANA M. LUTEY, being first duly sworn upon oath, deposes  
and says:

1. I am an attorney licensed to practice law in all courts  
of the State of Hawaii and before the Federal Courts of the  
Hawaii District.

2. I am one of the attorneys representing County  
Defendants in the above-captioned matter.

3. Attached as Exhibits "A" through "E" are true and  
correct copies of what each exhibit purports to be.

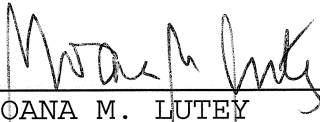
4. On June 30, 2006, I left a telephone message for Mr.  
Ross and wrote to him and provided a copy of the proposed bill of  
costs. I requested that he contact me in order to discuss the  
costs we were seeking. I have not yet heard back from Mr. Ross.

5. I have made a good faith effort to confer with Mr. Ross


regarding the bill of costs.

6. The foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
MOANA M. LUTEY

Subscribed and sworn to before  
me this 30th day of June, 2006.

  
\_\_\_\_\_  
NOTARY PUBLIC, State of Hawaii  
Print name: Kay A. Ogasawara  
My commission expires: 7/1/09

L.S.